2013 DRAFTING REQUEST

Assembly Joint Resolution

Received:	**3/26/2013**	Received By:	**smiller**
Wanted:	**As time permits**	Same as LRB:	**-1978 -2003**
For:	**Jim Steineke (608) 266-2418**	By/Representing:	**Jon Turke**
May Contact:		Drafter:	**smiller**
Subject:	**Constitutional Amendments**	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
Requester's email: **Rep.Steineke@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Standards for congessional, state, judicial and county recall

Instructions:

Per email 3-26-13

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/1	smiller 3/27/2013	kfollett 3/27/2013	jmurphy 3/28/2013	_____	srose 3/28/2013	lparisi 3/28/2013	

FE Sent For:

<END>

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/1	smiller	/1 kst 3/27	jm 3/28	self			

FE Sent For:

<END>

From:	Turke, Jon
Sent:	Tuesday, March 26, 2013 4:43 PM
To:	Miller, Steve
Subject:	AJR 63 redraft

Hi Steve-

Sen. Harsdorf and our office will be re-introducing AJR 63 (recalls) from last session. I am hoping we can get a redraft for the Assembly. Their current draft is LRB ~~1978.~~ 2003.

Thanks!

Jon Turke
Office of Rep. Jim Steineke
Assistant Majority Leader
608-266-2418

State of Wisconsin
2013 – 2014 LEGISLATURE

in 3-27

LRB-2003/1
SRM:kjf:jf

ASSEMBLY

2013 ~~SENATE~~ JOINT RESOLUTION

1   *To renumber* ~~section 9~~ of article IV; *to amend* section 12 (intro.) of article XIII and

2   section 12 (2) of article XIII; and *to create* section 9 (2) of article IV of the

3   constitution; **relating to:** recall of elective officers and a code of ethics for

4   government officials (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2013 legislature on first consideration, limits the grounds for the recall of an incumbent congressional, judicial, or legislative elective officer or any county elective officer specified in the Wisconsin Constitution (elective officer). Currently, a petition for recall may be filed with the officer who receives the nomination petition to the elective office in the primary (filing officer), and need not demonstrate any grounds for the recall of an elective officer. Under this amendment, an elective officer may be recalled only if he or she has been charged with a serious crime or if a finding of probable cause has been made that he or she violated the state code of ethics.

The amendment further requires the filing officer to determine, before a recall election is scheduled, that the petition for recall demonstrates sufficient grounds for recalling the elective officer.

The amendment also requires the legislature to establish a code of ethics for government officials and a board to administer the code.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it becomes effective.

1   *Resolved by the senate, the assembly concurring, That:*

2   **SECTION 1.** Section 12 (intro.) of article XIII of the constitution is amended to

3   read:

4   [Article XIII] Section 12 (intro.) The qualified electors of the state, of any

5   congressional, judicial or legislative district or of any county may petition for the

6   recall of any incumbent elective officer after the first year of the term for which the

7   incumbent was elected, if the officer has been charged with a crime punishable by

8   imprisonment of one year or more, or against whom a finding of probable cause of

9   violation of the state code of ethics has been made, by filing a petition with the filing

10   officer with whom the nomination petition to the office in the primary is filed,

11   demanding the recall of the incumbent.

12   **SECTION 2.** Section 12 (2) of article XIII of the constitution is amended to read:

13   [Article XIII] Section 12 (2) The If the filing officer with whom the recall petition

14   is filed determines that the petition sufficiently demonstrates the grounds for recall,

15   the filing officer with whom the recall petition is filed shall call a recall election for

16   the Tuesday of the 6th week after the date of filing the petition or, if that Tuesday is

17   a legal holiday, on the first day after that Tuesday which is not a legal holiday.

18   **SECTION 3.** Section 9 of article IV of the constitution is renumbered section 9

19   (1) of article IV.

20   **SECTION 4.** Section 9 (2) of article IV of the constitution is created to read:

21   [Article IV] Section 9 (2) The legislature shall provide by law for the

22   establishment of a code of ethics for government officials and the establishment of

23   a board to administer the code.

2013 – 2014 Legislature   – 3 –   LRB–2003/1
SRM:kjf:jf
SECTION 5

1   **SECTION 5. Numbering of new provision.** If another constitutional

2   amendment ratified by the people creates the number of any provision created in this

3   joint resolution, the chief of the legislative reference bureau shall determine the

4   sequencing and the numbering of the provisions whose numbers conflict.

5   ***Be it further resolved, That*** this proposed amendment be referred to the

6   legislature to be chosen at the next general election and that it be published for three

7   months previous to the time of holding such election.

8   **(END)**

Please jacket
2000 for
Rep. Steineke
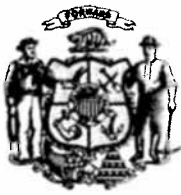
2013 ASSEMBLY JOINT RESOLUTION 25

changes made by KJF 01-30-2014

Also see page 2 and 3

April 23, 2013 – Introduced by Representatives STEINEKE, BALLWEG, BORN, BROOKS, CRAIG, CZAJA, ENDSLEY, HONADEL, JACQUE, JAGLER, KAPENGA, KAUFERT, KLEEFISCH, KNODL, T. LARSON, MARKLEIN, A. OTT, PETERSEN, PETRYK, SANFELIPPO, SEVERSON, SPIROS, STRACHOTA, TITTL and WEATHERSTON, cosponsored by Senators HARSDORF, OLSEN, SCHULTZ and TIFFANY. Referred to Committee on Campaigns and Elections.

1   ***To renumber*** section 9 of article IV; ***to amend*** section 12 (intro.) of article XIII and

2   section 12 (2) of article XIII; and ***to create*** section 9 (2) of article IV of the

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1   Whereas,

2   ***Resolved by the assembly, the senate concurring, That:***

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4   read:

5   [Article XIII] Section 12 (intro.) The qualified electors of the state, of any

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move up

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4   SECTION 5.   **Numbering of new provision.**   If another constitutional

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